1 State of New Hampshire Banking Department In re the Matter of: 2)Case No.: 08-113 State of New Hampshire Banking 3 4 Department,)Order to Show Cause 5 Petitioner, 6 and) Motion to Dismiss 7 Old Merchants Mortgage Inc, and Scott 8 J. Cooper, 9 Respondents 10 11 MOTION TO DISMISS 12 Now comes Maryam Torben Desfosses, on behalf of Petitioner in the above 13 captioned case, and moves to dismiss the penalties in the Order to Show Cause ("Order") in this matter and states as follows: 14 15 1. The above Respondents were properly served with the Order in this 16 matter on or about January 26, 2009. 17 2. Since the advent of the Order, the above named Respondents have paid 18 the outstanding invoice for examination, which served as the underlying 19 allegation of the Order. 20 3. Based on the above factors and as a sign of good faith and 21 administrative efficiency, the Petitioner now wishes to dismiss the 22 penalties within the Staff Petition that initiated the Order. 23 [REMAINDER OF PAGE INTENTIALLY LEFT BLANK] 24

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1	WHEREFORE, Petitioner respectfully prays
2	A. The Commissioner dismiss the penalties in the Order to Show Cause i
3	this case; and
4	B. Grant such further relief as is just and in the public interest.
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6	Respectfully submitted by:
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8	/s/ Maryam Torbem Desfosses Hearings Examiner Date
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12	ORDER Finding it in the public interest, the requested relief is hereby GRANTED. The
L3	penalties in the Order to Show Cause in 08-113 are hereby DISMISSED this <u>5th</u>
L4	day of <u>February</u> , 2009.
15	/s/
16	PETER C. HILDRETH BANK COMMISSIONER
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